

January 10, 2005

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
One South Station
Boston, MA 02112

Re: DTE 04-115

Dear Secretary Cottrell:

We, the Associated Industries of Massachusetts, Division of Energy Resources, Fitchburg Gas and Electric Light Company d/b/a/ Unitil, Massachusetts Electric Company and Nantucket Electric Company, Mirant Corporation, MxEnergy Inc., the Office of the Attorney General, Select Energy, Inc., and The Energy Consortium, are writing to request that the Department authorize the state-wide use by distribution companies of the term “Basic Service” to refer to Default Service. We respectfully request Department action as soon as possible so that this change in nomenclature can be used to refer to the Default Service that will be provided as of March 1, 2005, the end of the Standard Offer period.

The Department has requested comments on this and other issues in its December 6, 2004 request for comments (“Request for Comments”) in this docket. Initial Comments are due by January 10, 2005 and reply comments are due by January 24, 2005. We request expedited approval of the use of the term “Basic Service” in order to avoid three types of customer confusion. First, the term “Default Service” implies that there is another service option, which, with the end of Standard Offer, is not currently accurate for all customers. Second, the term “Default Service” carries an unintended suggestion of nonfeasance, as the Department suggests in question #5 in the Request for Comments. “Basic Service” describes the utility service, but contains no implication about other services and has no negative connotation. Third, customer education about the end of Standard Offer is beginning now. Implementation of the Basic Service nomenclature at this time avoids confusing customers, who would otherwise be transferred first to “Default Service” and then would be notified of a name change to “Basic Service.”

Although “the electricity services provided to a retail customer upon ...the completion of the term of the standard service offer” are referred to as “Default Service” in the General Laws, see G.L. c. 164, § 1,¹ the proposed change in the name used to describe those services in communications with consumers is non-substantive and will not affect the nature of the service provided to consumers. Rather, the change is designed only to better describe the service that is being provided to the consumer and to decrease possible customer confusion.

¹ The Department’s regulations, in contrast, use the term to refer to “the service provided by the Distribution Company to a Customer who is not receiving either Generation Service from a Competitive Supplier or Standard Offer Generation Service.” 220 CMR § 11.02.

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Due to the lead times in preparing communications materials, there is a narrow window of opportunity to enact the change in time to allow Standard Offer customers to migrate to Basic Service. For this reason, it is essential that the Department authorize this nomenclature imminently in order to achieve the benefits described above.

Thank you very much for your time and attention to this matter.

Very truly yours,

ASSOCIATED INDUSTRIES OF MASSACHUSETTS

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DIVISION OF ENERGY RESOURCES

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FITCHBURG GAS AND ELECTRIC LIGHT COMPANY

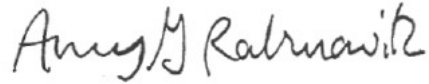
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